



ITW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STANISLAW FLASINSKI

Serial No.: 10/521,288 ✓

Filed: **January 14, 2005**

Confirmation No. **5604**

For: **METHOD FOR USING ARTIFICIAL
POLYNUCLEOTIDES AND
COMPOSITIONS THEREOF TO
REDUCE TRANSGENE SILENCING**

§

§ Group Art Unit: **1638**

§

§ Examiner:

§

§ Atty. Dkt. No.: **11899.0235.PCUS00**

§

§ Client File No.: **38-21(53149)B**

§

§ **35 USC § 371 Application of International**
§ **Application PCT/US03/021551**

§

§

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the date below:

10-26-06
Date

Barbi Sofia
Barbi Sofia

Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and that the documents (A1; B1-B4; C6-C7) listed on attached Form PTO/SB/08 be considered by the Examiner and made of record. As required by 37 C.F.R. § 1.98(a)(2), copies of the document (listed as B1-B4; C6-C7) are enclosed for the convenience of the Examiner. A copy of the document listed as A-1 is not enclosed since it is a U.S. Patent document.

In accordance with 37 C.F.R. §§ 1.97(g) and (h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits and, hence, is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement. Should any additional fees under 37 C.F.R. §§ 1.16-1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from the Howrey LLP Deposit Account 08-3038/11899.0235.PCUS00.

Applicant respectfully requests that the listed document be made of record in the present case.

Respectfully submitted,



Rudeina A. Baasiri, Ph.D.
Reg. No. 47,398
Agent for Assignee
MONSANTO TECHNOLOGY LLC

Customer No. 45,607
HOWREY LLP
1111 Louisiana Street, Suite 2500
Houston, Texas 77002
(713) 654-7648

Date: October, 2006



PTO/SB/08a (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/521,288		
		Filing Date	January 14, 2005		
		First Named Inventor	Stanislaw Flasiński		
		Art Unit	1638		
		Examiner Name			
Sheet	1	of	2	Attorney Docket Number	11899.0235.PCUS00

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A1	US- 6,040,497 A	3/21/2000	Michael Spencer, et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴ Kind Code ⁵ (if known)			
	B1	WO	97/46690	12/11/1997	Zeneca Limited	
	B2	WO	97/06269	2/20/1997	Zeneca Limited	
	B3	WO	01/44457 A2	6/21/2001	Monsanto Company	
	B4	WO	02/26995 A1	4/04/2002	Syngenta Limited	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/521,288
				Filing Date	January 14, 2005
				First Named Inventor	Stanislaw Flasiński
				Art Unit	1638
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	11899.0235.PCUS00

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher city and/or country where published	T ²
	C6	Kumpatla, Siva P., et al., "Genome intruder scanning and modulation systems and transgene silencing," Trends In Plant Science 3(3), 97 104 (1998)	
	C7	Meyer, Peter, "Understanding and controlling transgene expression," Trends In Biotechnology 13(9), 332 337 (1995)	

Examiner Signature		Date Considered	
---------------------------	--	------------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.